Implementation of Storm Water Phase II
In implementing the Clean Water Act, EPA requires that all owners/operators of small MS4s reduce the discharge of pollutants from a regulated system to the "maximum extent practicable" to protect water quality.
Storm Water Phase II

- Why worry about storm water quality?
  - Quality of life
  - Drinking water usage of some streams
  - Cleaner streets
  - Reduced Operation & Maintenance of drainage systems
  - Land preservation
  - Community aesthetics
  - Wildlife habitat
Storm Water Phase II

History

- 1948 Federal Water Pollution Control Act
- 1972 Clean Water Act
- 1987
  - National Pollutant Discharge Elimination System (NPDES)
  - Nonpoint Source (NPS) program
Storm Water Phase II

- Nonpoint pollution sources
  - Urban storm water runoff
  - Agricultural runoff
  - Construction site runoff
  - Industrial site runoff
Storm Water Phase II

- **Phase I review**
  - regulations adopted November 1990
  - application began in 1992
  - large & medium MS4s
  - construction sites > 5 acres
  - industrial activities
  - exemptions
  - DENR as permitting authority (1993)
Storm Water Phase II

- **Phase II**
  - Final rule - December 8, 1999
  - Effective March 10, 2003
  - Construction activities (January 1, 2003)
  - DENR as permitting authority (1993)
Storm Water Phase II

Who has to comply?

- Local government in “urbanized” area
- Local government not in “urbanized” area
- Physical connection to covered local government
- Contributors to water body impairment
- Municipal industrial facilities
- Federal and state agency facilities
Storm Water Phase II
Impacted Communities in SD

- ✔ Rapid City
- ✔ North Sioux City
- ✔ Aberdeen
- ✔ Watertown
- ✔ Brookings
- ✔ Mitchell
- ✔ Pierre
- ✔ Yankton
- ✔ Huron
- ✔ Vermillion
- ✔ Spearfish
- ✔ Sturgis
- ✔ SDDOT
Storm Water Phase II

- Who will be impacted?
  - The development community
  - Contracting/Construction community
  - The general public
  - City government
Storm Water Phase II

- **Requirements - Construction and other**
  - construction: land disturbances > 1 acre
  - separate state permit coverage
  - comply with local government requirements
  - local & state coordination
Storm Water Phase II

**Requirements - MS4s**

♦ Best Management Practices (BMPS) for 6 minimum measures
♦ measurable goals
♦ schedule/frequency of activities
♦ responsible entity
♦ evaluation & assessment
♦ recordkeeping
♦ annual reporting
Storm Water Phase II

**Six Minimum Control Measures**

- Public Education & Outreach
- Public Involvement & Participation
- Illicit Discharge Detection and Elimination
- Construction Site Runoff Control
- Post-Construction Management
- Municipal Pollution Prevention/Housekeeping
Storm Water Phase II

- Public Education & Outreach
  - education &/or outreach program
  - storm water impacts
  - individual’s efforts to reduce pollution
  - lawn and garden, household hazardous wastes, pet waste management
  - target audiences, displays, brochures, PSAs
Storm Water Phase II

- **Public Involvement/Participation**
  - minimum: public notice requirements
  - development, implementation, and review
  - storm drain stenciling, wetland restoration, annual stream clean-up, Adopt-a-Stream
  - volunteers for education, task forces, stakeholder meetings, public hearings, open houses
Storm Water Phase II

- **Illicit Discharge Detection & Elimination**
  - Up-dated storm sewer mapping
  - Regulatory mechanism for the prohibition of non-storm water discharges
  - Program: detect and eliminate (including enforcement)
  - Inform/educate public employees, businesses, and general public
Storm Water Phase II

- Illicit Discharge Detection & Elimination
  - Household waste dumping
  - Irrigation
  - Groundwater
  - Street and parking lot wash water
  - Lawn Clippings
  - Paint washout at curb
  - Oil Change dumping at inlets or in backyard areas
Storm Water Phase II

- **Construction Site Runoff Control**
  - Erosion/sediment control ordinance with sanctions for non-compliance
  - Construction site waste control requirements
  - Site plan review procedures
  - Public input procedures and opportunities
  - Site inspection and enforcement
Storm Water Phase II

- Construction Site Runoff Control
  - Runoff Control
  - Erosion Control
  - Sediment Control
  - Good Housekeeping
Post-Construction Management

- long term O&M (policies & procedures)
- promote prevention vs treatment
- adopt BMP strategies appropriate for our community
- assess/revise existing programs and ordinances
- watershed-based planning, wetlands, open space, buffers, vegetation, reduced impervious surface area, education
Storm Water Phase II

- Pollution Prevention/Housekeeping
  - Operation and maintenance program
  - Employee training to prevent and reduce pollution
  - Fleet & building maintenance, MS4 maintenance, pet waste disposal, vehicle maintenance & washing, lawn care, snow disposal, parking lot and street cleaning
Storm Water Phase II

- Biggest Issues to address:
  Funding source-to do this right, we will need to increase funding. The creation of the Storm Sewer Utility is a step in the right direction.

  Staffing-to keep this on task, we need to have enough staff dedicated to keeping this project moving forward.